



ANDREW O. ISAR

4304 92ND AVENUE NW
GIG HARBOR, WA 98335
TELEPHONE: 253.851.6700
FACSIMILE: 866.474.3630
WWW.MILLERISAR.COM

Via ECFS

June 12, 2017

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: *Structure and Practices of the Video Relay Service program*, CG Docket No. 10-51: *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123

Dear Secretary Dortch:

ASL Services Holdings, LLC dba GlobalVRS ("GlobalVRS") submits to the Commission the attached *Comments of ASL Services Holdings, LLC dba GlobalVRS in Response to Further Notice of Proposed Rulemaking* ("Comments"). GlobalVRS' Comments respond to the Commission's January 17, 2017 *Further Notice of Proposed Rulemaking* regarding experience with provider-supplied equipment and software, and appropriate scope of the "RUE Profile," in the above-referenced matter.

Thank you for your attention to this matter. Questions may be addressed to the undersigned.

Sincerely,

MILLER ISAR, INC.

/s/ Andrew O. Isar
Andrew O. Isar

Regulatory Consultants to
ASL Services Holdings, LLC dba GlobalVRS

Attachment

cc: Karen Peltz-Strauss; Eliot Greenwald, Robert Aldrich (via Email)

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matters of)	
)	
Telecommunications Relay Services)	CG Docket No. 03-123
and Speech-to-Speech Services for)	
Individuals with Hearing and)	
Speech Disabilities)	
)	
Structure and Practices of the)	CG Docket No. 10-51
Video Relay Service Program)	

**COMMENTS OF ASL SERVICES HOLDINGS, LLC DBA GLOBALVRS
IN RESPONSE TO FURTHER NOTICE OF PROPOSED RULEMAKING**

ASL Services Holdings, LLC dba GlobalVRS (“GlobalVRS”) submits these comments in response to the Commission’s January 17, 2017 *Further Notice of Proposed Rulemaking* (“FNPRM”) in the above-referenced proceeding, regarding user experience with provider-supplied video relay service (“VRS”) equipment and software, the potential represented by equipment and software innovation, and on the appropriate scope of the Interoperability Profile for Relay User Equipment (“RUE Profile”).

GlobalVRS maintains – as it has¹ - that with the advent of ever developing advancements in off-the shelf consumer-oriented mobile device technology, a primary Telecommunications Relay Service Program (“Program”) focus should be on promoting relay service software applications for those devices rather than on a historic reliance on proprietary provider-supplied equipment to achieve interoperability. To that end, and moreover in light of the existing interoperability regulations and effective inter-provider interoperability coordination currently in

¹ See e.g. *In the Matter of Structure and Practices of the Video Relay Service Program Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 10-51 and 03-123, *Supplemental Comments of ASL Services Holdings, LLC dba GlobalVRS to Further Notice of Proposed Rulemaking Sections IV.A-B and F* (April 24, 2017) at page 10.

place the RUE Profile should remain a guideline. Ultimately, providers should have the flexibility to innovate through their applications and help free the Deaf Community from dependence on proprietary provider-supplied equipment that has for too long shackled users to a single provider and undermined interoperability.

I. PROPRIETARY PROVIDER-EQUIPMENT HAS HISTORICALLY UNDERMINED FULL INTEROPERABILITY; THE FUTURE IS IN CONSUMER-ORIENTED TECHNOLOGY AND INNOVATIVE SOFTWARE APPLICATIONS.

Full interoperability between providers has remained a Program “Holy Grail.” Lack of full interoperability directly contributed to GlobalVRS’ initial challenges in serving proprietary equipment-based users. At the time GlobalVRS began providing VRS, it found itself immediately caught in an incumbent provider interoperability dragnet of issues ranging from H.323 gateway standard incompatibility to intentional interference resulting poor video quality. Though these issues have since been addressed under a far more cooperative environment, a majority of proprietary equipment-based users continue to believe there are no reliable alternatives to the “free” proprietary relay service equipment on which they have become dependent and understandably blame other providers for poor quality. Such reliance has contributed to the dominant providers’ dominance and an inability of competing providers to meaningfully compete.²

To be sure, providers that utilize proprietary relay service equipment have endeavored to work with other providers to resolve interoperability issues. Over the past two years, all providers have given significant attention to resolving interoperability issues. As a result, through Session Initiation Protocol (“SIP”) Protocol adoption and provider coordination, each provider has gained access to all provider applications for interoperability testing. Senior

² See, *Id.* at pages 4, 9.

development personnel contact information is available to all providers enabling expeditious issue resolution and a process for resolving interoperability issues which periodically arise. Nevertheless, interoperability issues do linger. Providers that rely on such equipment have no financial or competitive incentive to do more than the minimum to ensure that their equipment is generally interoperable and complies with Commission regulation. And ultimately in GlobalVRS' experience, other provider equipment users who venture to trial GlobalVRS' service and experience interoperability issues such as lower quality video hold GlobalVRS – and not the equipment provider – directly responsible. These users are reluctant to try the Company's service again.³

The Commission has more recently referred to the Program as a “market.”⁴ To the extent that competitive market concepts may apply, the Commission must accord providers with the flexibility to innovate, while complying with Commission requirements. In the realm of interoperability, this now too suggests the ability to adapt advanced consumer-oriented mobile devices technology through relay service software applications.

Reliance on applications rather than proprietary provider-equipment solutions enables providers to tailor their applications to their subscribers needs, enhance user experience, and distinguish themselves for their competitors, while enabling users to personalize their service. GlobalVRS' has, for example, developed applications designed specifically for its Spanish language and DeafBlind users. Applications software can also be tailored by the user to automate certain functions, customize features, and otherwise personalize the application, *i.e.* create user

³ See, e.g. GlobalVRS annual complaint logs regarding video quality complaints.

⁴ “Having analyzed the cost data reported by Rolka, as well as recent data submissions from four of the providers,⁴ we believe another four-year plan best balances the need to minimize the cost of service for ratepayers, maintain competition in the *marketplace* pending further structural reforms...[emphasis supplied],” *In the Matter of Structure and Practices of the Video Relay Service Program Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 10-51 and 03-123, *Report and Order, Notice of Inquiry, Further Notice of Proposed Rulemaking, and Order* (March 28, 2017), page 38.

“profile-based routing.” Users also gain the ability to select how they communicate – whether through any of the video relay service providers, text applications, IP-relay if available through open source standards, video relay interpreting applications, recorded video, or peer-to-peer calling. An applications orientation also opens up the potential for third parties such as academic institutions to create open source coding that can be adapted by providers and others as the Commission envisions. Ultimately, reliance on applications solutions will free users to select their own mobile devices and call medium, and in turn, be freed from interoperability issues and equipment provider dependence that have plagued the Program since its inception.

II. IF RUE COMPLIANCE IS ADOPTED, THE COMPLIANCE OBLIGATION SHOULD FALL ON EQUIPMENT PROVIDERS.

GlobalVRS and other providers have repeatedly established why the Relay User Equipment (“RUE”) Profile should remain a guideline and not an obligation.⁵ GlobalVRS has remained supportive of the RUE Profile’s intent to enhance interoperability. Features such as listing all VRS providers at endpoints would be beneficial to smaller companies like GlobalVRS in alerting users to options. At issue is the exceptional implementation cost.⁶

If moving towards an applications-oriented Program as discussed above, reliance on RUE compliance becomes a more dubious requirement, particularly for providers like GlobalVRS, that do not offer equipment. A RUE compliance obligation unfairly places GlobalVRS and other non-equipment-dependent providers in the position of having to expend limited resources to further accommodate equipment-dependent providers in the name of interoperability, as noted.

It is unclear that RUE compliance will result in any further countervailing promotion of

⁵ *In the Matter of Structure and Practices of the Video Relay Service Program Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket Nos. 10-51 and 03-123, *Comments of ASL Services Holdings, LLC dba GlobalVRS In Response to Further Notice of Proposed Rulemaking*; *Comments of Convo Communications, CSDVRS, Purple Communications, and Sorenson Communications* (September 14, 2016),

⁶ GlobalVRS platform vendor nWise has estimated implementation costs to exceed \$100,000 and more than two years of development demanding resources that are simply unavailable to GlobalVRS.

interoperability beyond the efforts that all providers currently undertake to make equipment and services fully interoperable.

The Commission's proposed options offer alternatives that may temper implementation costs and challenges, but nevertheless suggest that the RUE compliance should still be adopted in some form to promote interoperability. Beyond ignoring provider arguments against strict RUE profile compliance, Option 1 would require compliance based on an implied presumption that all user equipment and software⁷ must be RUE compliant to be interoperable. Option 2 appears based on the same presumption that the RUE profile must be mandatory even if on a going forward basis, to ensure interoperability. Yet nowhere has the Commission established the factual basis for broad adoption of the RUE profile as a compliance obligation. Compliance costs and efforts on all providers would remain significant with no established basis for concluding that strict compliance is in fact imperative to achieve interoperability.

To the extent that the Commission maintains that RUE compliance must nevertheless be adopted, Option 3, making RUE compliant equipment and software available upon request, would be preferable. This approach would mitigate provider expense and give each user the ability to determine the benefits of their request. If Option 3 were adopted, providers should be allowed to request reimbursement for documented exogenous costs associated with the request. Further, the Commission should develop specific information for consumers on the considerations associated with such requests to guide consumer decisions. Otherwise consumers could seek "RUE compliant" equipment and software available without a clear understanding of what they would be requesting, imposing potentially unnecessary costs and effort that providers are seeking to avoid. And in the absence of competitively-neutral information, equipment

⁷ Reference to "software" in this context is unclear as to whether the Commission refers to software used in provider-supplied equipment and/or standalone software applications. If the latter, there is uncertainty of how RUE Profile obligations could be adapted to such applications.

providers could use such requests to purport dangers associated with using a competitor's service, as GlobalVRS subscribers have experienced in the past.

GlobalVRS urges the Commission to retain the RUE profile as a guideline – Option 4, albeit with the benefit of an independent, competitively-neutral VRS Product Testing Lab, until, or if, the neutral platform is deployed.

III. AN INDEPENDENT, COMPETITIVELY-NEUTRAL VRS PRODUCT TESTING LAB SHOULD BE ADOPTED IF THE NEUTRAL PLATFORM IS NOT TIMELY AVAILABLE.

An independent “VRS Product Testing Lab” in lieu of RUE Profile regulation and to the extent that the neutral platform is unavailable as originally planned, should be established to ensure interoperability. A competitively-neutral, third party VRS Product Testing Lab could independently confirm inter-provider equipment and feature compatibility. The VRS Product Testing Lab would have access to all provider applications and be tasked with verifying and documenting new equipment and feature interoperability before its release to the public. The source of interoperability issues could then be identified and resolved, ensuring that once a new product or feature is introduced, it is fully interoperable. And, to the extent that new interoperability issues nevertheless arose, the VRS Product Testing Lab would have responsibility for ensuring resolution and informing the public as applicable. Delays in neutral platform deployment call for an independent interoperability verification process that does not further burden providers with additional costs and diversion of resources. An independent VRS Product Testing Lab would have far greater impact in ensuring interoperability than would adoption of the RUE Profile as an additional regulatory obligation.

Rapid advancements in the evolution of off-the-shelf technology coupled with innovative software applications is lessening dependence on proprietary equipment-based solutions, the

associated interoperability challenges and on the need for strict RUE compliance by all providers. So long as providers are generally obligated to ensure interoperability between equipment and applications, the RUE profile should remain a guideline. Implementation of an independent VRS Product Testing Lab pending deployment of a neutral platform will have far greater impact toward ensuring interoperability than further regulation.

Respectfully submitted this 12th day of June, 2017,

ASL SERVICES HOLDINGS, LLC dba
GLOBALVRS

By: /s/ Angela Roth

Angela Roth
Chief Executive Officer
3700 Commerce Boulevard, Suite 216
Kissimmee, Florida
Telephone: 407.518.7900, extension 201

Andrew O. Isar
Miller Isar, Inc.
4304 92nd Avenue NW
Gig Harbor, WA 98335
Telephone : 253.851.6700

Regulatory Consultants to
ASL Services Holdings, LLC dba GlobalVRS